

Senate File 222 - Introduced

SENATE FILE 222

BY BISIGNANO

A BILL FOR

1 An Act relating to the crime of the unauthorized placement of
2 a global positioning device, including the unauthorized
3 placement of a global positioning device committed against a
4 person under eighteen years of age, and providing penalties.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 708.11A, Code 2023, is amended to read
2 as follows:

3 **708.11A Unauthorized placement of global positioning device.**

4 1. A person commits unauthorized placement of a global
5 positioning device when the person, without the consent of the
6 other person, places a global positioning device on the other
7 person or an object in order to track the movements of the
8 other person without a legitimate purpose.

9 2. A Except as provided in subsection 3, a person who
10 commits a violation of this section commits a serious
11 misdemeanor for a first offense, and an aggravated misdemeanor
12 for a second or subsequent offense.

13 3. A person who commits a violation of this section when
14 the other person is under eighteen years of age commits an
15 aggravated misdemeanor for a first offense, and a class "D"
16 felony for a second or subsequent offense. This subsection
17 shall not apply if the person is a parent or guardian of the
18 other person.

19 4. Each individual act constituting a violation of this
20 section shall be considered a separate and distinct offense.

21 EXPLANATION

22 The inclusion of this explanation does not constitute agreement with
23 the explanation's substance by the members of the general assembly.

24 This bill relates to the crime of the unauthorized placement
25 of a global positioning device including the unauthorized
26 placement of a global positioning device committed against a
27 person under 18 years of age.

28 Current law provides that a person who commits a violation
29 of the unauthorized placement of a global positioning device
30 commits a serious misdemeanor. The bill provides that a second
31 or subsequent offense is an aggravated misdemeanor. The bill
32 provides that a person who commits the unauthorized placement
33 of a global positioning device when the other person is under
34 18 years of age commits an aggravated misdemeanor for a first
35 offense, and a class "D" felony for a second or subsequent

1 offense. This provision shall not apply when the person is a
2 parent or guardian of the other person.

3 The bill provides that each individual act constituting a
4 violation of the unauthorized placement of a global positioning
5 device shall be considered a separate and distinct offense.

6 A serious misdemeanor is punishable by confinement for no
7 more than one year and a fine of at least \$430 but not more than
8 \$2,560. An aggravated misdemeanor is punishable by confinement
9 for no more than two years and a fine of at least \$855 but
10 not more than \$8,540. A class "D" felony is punishable by
11 confinement for no more than five years and a fine of at least
12 \$1,025 but not more than \$10,245.